

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARDS S. WILLIAMS and Case No. 23-12690
CAMILE V. WILLIAMS,
Plaintiff,
v.
STUART A. GOLD, *et al.*, Curtis Ivy, Jr.
Defendants. United States Magistrate Judge
/

ORDER ON SERVICE

This matter is before the Court related to service of Defendant Sheena Majors. Plaintiffs are handling service in this case. The return receipt (also known as a “green card”) is addressed to Sheena Majors but was signed by Eleanor Smith on March 4, 2024. (ECF No. 40). Delivery was not by certified mail with restricted to the addressee, so it did not comply with the Michigan Court Rules for service on an individual. Mich. Ct. R. 2.105(A). As Sheena Majors has not otherwise appeared or waived service, service has not yet been effected on her.

Defendant Majors must be served in accordance with the Federal Rules of Civil Procedure, which requires either personal service or service in accordance with Michigan law. Fed. R. Civ. P. 4(e). For mailed service under Michigan law, Plaintiffs must mail a copy of the summons and complaint by certified mail, return receipt requested, and restrict delivery to the addressee, Sheena Majors. Mich. Ct.

R. 2.105(A). The summons is extended 60 days. Plaintiffs must make their attempt at service by June 13, 2024, 20 days from this Order, and file notice with the Court when they do so.

Plaintiffs are warned that the onus remains on them to effectuate service on the Defendant and if they cannot do so, Plaintiffs will need to show good cause why this action should not be dismissed without prejudice as to the unserved Defendant for failure to timely serve under Rule 4(m) and/or for failure to prosecute under Rule 41(b). Plaintiffs are encouraged to review rules of service at Fed. R. Civ. P. 4(m) and Michigan Court Rules 2.105(A).

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: May 28, 2024

s/Curtis Ivy, Jr.

Curtis Ivy, Jr.

United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on May 28, 2024.

s/Sara Krause

Case Manager

(810) 341-7850